IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MANUEL SANCHEZ,

Defendant.

4:18CR3124

ORDER

On December 26, 2018, Defendant's trial, originally scheduled for January 22, 2019, was cancelled because Defendant stated he wanted to enter a change of plea. (Filing No. 24). From that time forward, the parties and the court adjusted their schedules and case preparation accordingly. Defendant has now moved to set the case for trial. (Filing No. 34).

The court will set this matter for trial. The time between January 8, 2019 and the new trial date, March 11, 2019, will be excluded because Defendant's change of mind regarding entering a plea has disrupted the normal scheduling practices of this court, the parties' ability to anticipate the need to prepare for trial, the availability of witnesses, and the parties' trial preparations. Accordingly,

IT IS ORDERED:

1) The trial of this case is set to commence before the Honorable John M. Gerrard, Chief United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on March 11, 2019, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.

2)   The time between January 8, 2019 and March 11, 2019, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act because the parties require additional time to adequately prepare the case for trial, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under the court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

January 8, 2019.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge